

EXHIBIT A

‘DARING THE COURTS’

TRUMP OFFICIALS ARE ‘PRETENDING’ A JUDGE DIDN’T BAR HIS ANTI-DIVERSITY ORDERS

A judge blocked the administration from forcing organizations to accept anti-diversity contract terms. Trump officials haven’t let them know

By ASAWIN SUEBSAENG, ANDREW PEREZ
MARCH 12, 2025



President Trump speaks from the Oval Office of the White House on March 7.

JIM WATSON/AFP/GETTY IMAGES

Last month, a federal judge issued an injunction blocking President Donald Trump’s administration from implementing multiple executive orders designed to purge the government of anything related to diversity — including an order to prohibit contractors and grant recipients from doing literally anything to promote the concepts of diversity, equity, and inclusion (DEI) within their organizations.

Trump’s Justice Department decided the fairly broad injunction only covered certain agencies. This month, certain parts of the administration, including the U.S. State Department, continued attempting to force this provision on contractors and grant recipients, threatening their funding if they failed to sign it, according to three knowledgeable sources in and outside of government. *Rolling Stone* has also reviewed documentation supporting these accounts.

After the judge clarified on Monday that his injunction does, indeed, bar the whole federal government from enforcing Trump's anti-diversity orders, the administration hasn't bothered to inform various nonprofits and grant recipients they do not currently have to comply with the president's orders, according to two of the sources. The new contract terms the Trump administration attempted to foist on these organizations and recipients remain on their desks, with the threats about failure to sign still dangling over them.

"We haven't even received a generic email about the judicial ruling," says one senior executive at an international nonprofit and longstanding implementing partner with the U.S. government. "They are just pretending it didn't happen, it seems."

The episode is part of a broader pattern in which the second Trump administration has operated under the impression that judges' orders and rulings don't much matter. Vice President J.D. Vance has publicly argued that Trump can ignore judges' orders, asserting: "Judges aren't allowed to control the executive's legitimate power." Trump, for his part, has threatened to "look at" judges who rule against Elon Musk's so-called Department of Government Efficiency (DOGE). Over Presidents Day weekend, Trump admitted he thinks he can break any law he wants to — so long as he can loosely define doing so as part of his mission to "save" the country.

EDITOR'S PICKS



The 100 Best TV Episodes of All Time



The 250 Greatest Albums of the 21st Century So Far



The 500 Greatest Albums of All Time



The 200 Greatest Singers of All Time

“A radical district court judge is acting beyond his authority and against Supreme Court precedent to undo the results of the election from the bench,” says White House spokesperson Anna Kelly. “The Trump Administration is appealing the decision and will actively defend the law of the United States.”

Since he took office again in January, Trump has led an all-out assault on diversity measures by executive fiat.

One of Trump’s orders demands that contract or grant recipients agree to certify they do not “operate any programs promoting DEI that violate any applicable federal anti-discrimination laws” — and purports to make this term subject to liability under the False Claims Act.

This order doesn’t simply apply to the specific work that the government has a contract for; it seems to suggest that if groups want a federal contract or grant, they aren’t allowed to do *any* “DEI.” (In theory, this could mean that in the view of the president or his senior officials, a group having presented a simple line somewhere that they value a “diverse” workforce could put them at risk of noncompliance with the False Claims Act or, somehow, federal anti-discrimination laws.)

Based on the president’s order, the Trump administration sent partner groups and nonprofits around the globe — some of which rely on federal funding to stay afloat — revised contracts, featuring a requirements section suggesting that if they engage in “DEI” (a term the administration did not clearly define), their contracts will be terminated.

RELATED CONTENT

- [Tesla Owners Are Desperately Trying to Disguise Their Cars](#)
- [Ayo Edebiri Got ‘Insane Death Threats’ After Elon Musk Shared Bogus Disney Casting News](#)
- [Rosie O'Donnell Reveals She Moved to Ireland in Wake of Trump Election](#)
- [Bill Burr Blasts Elon Musk, Calling Him 'Evidently a Nazi'](#)

In early February, several organizations, including the National Association of Diversity Officers in Higher Education and the American Association of University Professors, sued the Trump administration arguing his anti-diversity orders violate the “the Free Speech Clause of the First Amendment” and “the Fifth Amendment’s Due Process Clause.”

On Feb. 21, U.S. District Judge Adam Abelson in Baltimore granted a nationwide preliminary injunction blocking the implementation of the order, as well as Trump’s other executive orders targeting federal contractors and partners over diversity initiatives. The Maryland judge found Trump’s diversity-related orders likely violate First and Fifth Amendment rights. The Trump administration, of course, appealed.

The judge's original injunction was broad, covering the "defendants" in the case — a cluster of Trump administration agencies and Cabinet officials — "and other persons who are in active concert or participation with defendants."

The plaintiffs in the case quickly asked Judge Abelson to clarify who was covered by his injunction. "Counsel for the government notified plaintiffs' counsel that the government will instruct only named agency defendants to comply with the order," they wrote in a Feb. 27 filing.

Indeed, Trump agencies that weren't named in the order continued attempting to enforce the president's anti-diversity orders.

According to three sources in and outside the Trump administration, the government has continued sending various organizations revised contracts that include the exact same anti-diversity compliance language and requirements on which the federal judge had slapped an injunction. They've done so as recently as this month. Trump administration officials have explicitly told staff and outside groups that they view the court order as irrelevant and that the "DEI"-crackdown contract language will remain, the three people say.

The sources declined to speak on the record, or to have their respective organizations named in this article, for fear of retribution from Trump officials.

The senior executive of the international nonprofit confirms to *Rolling Stone* that their group has seen that exact "cut-and-paste" language from Trump's executive order featured in at least two of the recent modified contract documents that the administration has sent over in the weeks since the Feb. 21 nationwide injunction. *Rolling Stone* corroborated this account by reviewing written communications sent from the Trump administration to this nonprofit earlier this month.

When this group and its attorneys flagged to U.S. officials that these modified contracts appear to still run afoul of Judge Abelson's order, they were told to sign the revised contract, or get what's coming to them.

In at least one case, the senior executive says, a U.S. official told the international organization that they knew about the court injunction and what it meant, but that the senior ranks of the Trump administration had explicitly instructed staff to enforce Trump's executive orders, to ignore the court's injunction, and to pressure partner organizations if need be. This official also said that if the nonprofit's leaders didn't sign the new paperwork, they'd risk having their funding quickly terminated by the Trump administration, per the senior executive.

"The Trump administration is daring the courts in the United States to do something about this, and thus far, I don't think most people in America understand that what's at risk is the fundamental basis that there is fairness and justice and rule of law in the United States," says the senior executive. "And whatever you think of DEI, we should all agree that running the government based on the rule of law is a requirement. The playbook that is being used in the U.S. is not new; we've seen it in country after country where there's been an increase in authoritarianism. To see it in the modern United States itself is what's new and disturbing."

The other two sources, one of whom is a Trump appointee, tell *Rolling Stone* that the directive to comply with Trump's DEI orders, despite what the judge said, has gone out to an array of nonprofit organizations and partners around the world.

The message is clear, and it's: "Do not worry about the court," says one of the sources, who has long worked with the federal government. "If you want to keep your funding, sign the damn thing."

TRENDING STORIES

1. Billy Joel Undergoes Surgery, Postpones Four Months of Concerts
2. Can Trump Arbitrarily Take Money From Anyone's Bank Account?
3. Musk Melts Down as Tesla Stock Price Plunges
4. Tesla Owners Are Desperately Trying to Disguise Their Cars

Last week, Judge Abelson **refused** to halt his preliminary injunction blocking Trump's DEI orders while the administration appeals. On Monday, the judge **clarified** that the injunction applies to the whole Trump administration, and that no agency may attempt to enforce his anti-diversity orders.

In the days since, two of the sources say, the administration has not attempted to let organizations know that the anti-diversity orders are not currently in force, and has not sought to retract the (at best) legally questionable sections of the documents that were sent out. They still have the modified government contracts — “DEI”-assailing language, and all — sitting on their desks, awaiting signatures.

IN THIS ARTICLE: DEI, DIVERSITY, DOGE, DONALD TRUMP, ELON MUSK, JD VANCE, STATE DEPARTMENT

POLITICS > POLITICS FEATURES

MORE NEWS

